

In the United States Court of Federal Claims
OFFICE OF SPECIAL MASTERS
No. 22-0878V

LISA RILEY,

Petitioner,

v.

SECRETARY OF HEALTH AND
HUMAN SERVICES,

Respondent.

Chief Special Master Corcoran

Filed: June 18, 2025

Brynna Gang, Kraus Law Group, LLC, Chicago, IL,, for Petitioner.

Austin Joel Egan, U.S. Department of Justice, Washington, DC, for Respondent.

DECISION ON ATTORNEY'S FEES AND COSTS¹

On August 10, 2022, Lisa Riley filed a petition for compensation under the National Vaccine Injury Compensation Program, 42 U.S.C. §300aa-10, *et seq.*² (the “Vaccine Act”). Petitioner alleged that she suffered a shoulder injury related to vaccine administration as a result of an influenza vaccine she received on November 15, 2019. Petition, ECF No. 1. On August 6, 2024, I issued a decision awarding compensation to Petitioner based on the parties’ stipulation. ECF No. 37.

¹ Because this Decision contains a reasoned explanation for the action taken in this case, it must be made publicly accessible and will be posted on the United States Court of Federal Claims’ website, and/or at <https://www.govinfo.gov/app/collection/uscourts/national/cofc>, in accordance with the E-Government Act of 2002. 44 U.S.C. § 3501 note (2018) (Federal Management and Promotion of Electronic Government Services). **This means the Decision will be available to anyone with access to the internet.** In accordance with Vaccine Rule 18(b), Petitioner has 14 days to identify and move to redact medical or other information, the disclosure of which would constitute an unwarranted invasion of privacy. If, upon review, I agree that the identified material fits within this definition, I will redact such material from public access.

² National Childhood Vaccine Injury Act of 1986, Pub. L. No. 99-660, 100 Stat. 3755. Hereinafter, for ease of citation, all section references to the Vaccine Act will be to the pertinent subparagraph of 42 U.S.C. § 300aa (2018).

Petitioner has now filed a motion for attorney's fees and costs, requesting an award of \$18,565.79 (representing \$17,946.80 in fees plus \$618.99 in costs). Application for Fees and Costs ("Motion") filed January 21, 2025, ECF No. 42. Furthermore, counsel for Petitioner represent that Petitioner incurred no personal out-of-pocket expenses. *Id.* at 1.

Respondent reacted to the motion on February 7, 2025, reporting that he is satisfied that the statutory requirements for an award of attorney's fees and costs are met in this case, but deferring resolution of the amount to be awarded to my discretion. Respondent's Response to Motion at 2-3, ECF No. 43. Petitioner filed no reply thereafter. A decision awarding fees and costs was issued on April 28, 2025. Petitioner filed for reconsideration of that decision the next day, on April 29, 2025. Petitioner's reconsideration was granted on May 8, 2025.

After further review of Petitioner's request and the Motion for reconsideration, I hereby find Ms. Gang's proposed hourly rate of \$443.00 for work performed in 2025 to be reasonable and shall be awarded. And the hourly rate of \$564.00 for 2025 work performed by attorney Ed Kraus, representing a rate increase of \$39.00 from the previous year is also reasonable and shall be awarded.

Furthermore, Petitioner has provided supporting documentation for all claimed costs. ECF No. 42 at 23-46. Respondent offered no specific objection to the rates or amounts sought. I find the requested costs reasonable and hereby award them in full.

The Vaccine Act permits an award of reasonable attorney's fees and costs for successful claimants. Section 15(e). Accordingly, I hereby GRANT, Petitioner's Motion for attorney's fees and costs. I award a total of **\$18,565.79 (representing \$17,946.80 in fees plus \$618.99 in costs) to be paid through an ACH deposit to Petitioner's counsel's IOLTA account for prompt disbursement.** In the absence of a timely-filed motion for review (see Appendix B to the Rules of the Court), the Clerk of Court shall enter judgment in accordance with this Decision.³

IT IS SO ORDERED.

s/Brian H. Corcoran
 Brian H. Corcoran
 Chief Special Master

³ Pursuant to Vaccine Rule 11(a), the parties may expedite entry of judgment by filing a joint notice renouncing their right to seek review.